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Chairman: Ms. Gittens-Joseph ..... (Trinidad and Tobago)
later: Mr. Alaei (Vice-Chairman) ..... (Islamic Republic of Iran)

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The meeting was called to order at 3.10 p.m.

Agenda item 107: Advancement of women (*continued*)

Draft resolution A/C.3/55/L.11/Rev.1

1. **Mr. van Walsum** (Netherlands), introducing the draft resolution entitled "Working towards the elimination of crimes against women committed in the name of honour" (A/C.3/55/L.11/Rev.1), said that the following countries had joined the list of sponsors: Botswana, Dominican Republic, Estonia, Monaco, Samoa, Solomon Islands and Ukraine. The draft resolution was based on the consensus reached at the twenty-third special session of the General Assembly, and the sponsors believed it was a fitting moment for the General Assembly to strive to contribute to the elimination of those horrific and wholly unjustified crimes. That required fundamental changes in societal attitudes, and the use of legislative, educational and social measures such as awareness-raising campaigns. States should do their utmost to prevent and investigate crimes committed in the name of honour and to punish the perpetrators.

2. Although the issue was relatively new for the United Nations, many efforts were already being undertaken at the national and international level to eliminate such crimes. The draft resolution had been formulated in a transparent, cooperative manner, resulting in revisions to the text, in particular the title, the broadened scope of operative paragraph 1, and the deletion of a number of paragraphs that caused concern for some delegations. The numerous changes demonstrated the flexibility of the sponsors. The outcome document of the twenty-third special session had already demonstrated that no Government approved of honour crimes, and that there was consensus on that issue. The document was an important step towards ensuring full respect for the human rights of women throughout the world.

Draft resolution A/C.3/55/L.13/Rev.1

3. **Ms. Mesdoa** (Algeria), introducing the draft resolution entitled "Elimination of all forms of violence including crimes against women" (A/C.3/55/L.13/Rev.1), said that the following countries had joined the list of sponsors: Cape Verde, Kyrgyzstan, Oman, the former Yugoslav Republic of Macedonia, Turkmenistan and Yemen.

4. Violence was one of the most serious obstacles to the advancement and empowerment of women in society. The draft resolution, which was based on the consensus reflected in the outcome document of the twenty-third special session, addressed all aspects of violence, including crimes against women, in a comprehensive, integrated manner, and the sponsors hoped that it would be adopted by consensus.

Draft resolution A/C.3/55/L.16/Rev.1

5. **Ms. Ukaeje** (Nigeria) introduced the draft resolution entitled "The critical situation of the International Research and Training Institute for the Advancement of Women" (A/C.3/55/L.16/Rev.1) on behalf of the Group of 77 and China and Mexico, which expressed concern at the lack of resources to ensure the operation of the Institute in 2001. A credibility crisis had discouraged some donors from contributing to the Trust Fund from which the activities of the Institute were financed. And yet, under its new director, Ms. Eleni Stamiris, the Institute had developed the Gender Awareness Information and Networking System (GAINS) in less than a year, fulfilling the General Assembly mandate, and had done so despite a dearth of voluntary contributions. The completion on schedule of the first phase of the GAINS system was an example of what the Institute could do and a good reason to provide it with better support. Closing down a body whose mandate was to carry out research and training for the advancement of women in the same year in which the outcome document of the twenty-third special session had reaffirmed the importance of the Institute and the GAINS system would call into question the commitment of Member States to the needs of women and to gender equality. The year 2001 would be decisive for the survival of the Institute, and the sponsors hoped that the Committee would support the draft resolution in order to ensure that it would be able to continue its important work.

Agenda item 110: Promotion and protection of the rights of children (*continued*)

Draft resolution A/C.3/55/L.18/Rev.1

6. **Ms. Sereno** (Uruguay), introducing the draft resolution entitled "The rights of the child" (A/C.3/55/L.18/Rev.1), sponsored by the Group of Latin American and Caribbean States and the European Union and also by the delegations listed in the

document, said that Ethiopia, Israel, Mozambique, Poland, Turkey and Viet Nam had joined the sponsors of the draft resolution.

7. Very important developments had taken place in 2000, such as the adoption of the Optional Protocols to the Convention on the Rights of the Child and the commencement of preparatory process for the special session of the General Assembly for follow-up to the World Summit for Children in September 2001. The special session was the appropriate framework within which to closely address the diverse topics relating to children in general. In order not to jeopardize the outcome of that process or the commitments to be adopted by the respective Governments, the draft resolution largely reflected agreed language on the various issues. However, in the 2000 draft resolution, a reference had been added to the problem of illegal adoptions, and also a special paragraph on the need to prevent the abuse of narcotic drugs, psychotropic substances and inhalants among children, as well as preventing other addictions, in particular addiction to alcohol and tobacco. In view of the dramatic spread of the human immunodeficiency virus/acquired immunodeficiency syndrome (HIV/AIDS) epidemic, the section on health included specific references to that grave problem, and in the section on education a paragraph had been added on the need to ensure that all children had access to education, in accordance with the commitment made in the United Nations Millennium Declaration. Special reference had also been made in the 2000 draft resolution to violence against children, from a broad conceptual perspective. In the section dealing with the protection of children affected by armed conflict specific references had been made to the particular vulnerability of the girl child in situations of armed conflict.

8. She highlighted the efforts made by all the delegations which had participated in the negotiation of the draft resolution to achieve a text which reflected the concerns about situations affecting children, with a view to placing the highest and most urgent priority on the basic needs of children. She hoped that in matters concerning children, the Committee would set aside other concerns which were not exclusively related to the needs of children and the commitment and responsibility of Member States in that respect.

Agenda item 114: Human rights questions (*continued*)

(a) Implementation of human rights instruments (*continued*)

Draft resolution A/C.3/55/L.31/Rev.1

9. **Ms. Chatsis** (Canada), introducing the draft resolution entitled "Effective implementation of international instruments on human rights, including reporting obligations under international instruments on human rights" (A/C.3/55/L.31/Rev.1), said that the following countries wished to join the list of sponsors: Australia, Austria, Bulgaria, Cyprus, Ecuador, Germany, Hungary, Iceland, Israel, Italy, Liechtenstein, Latvia, Poland, Republic of Korea, San Marino, Slovakia, South Africa, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland and United States of America.

10. Changes had been made to the text to refer to some of the developments that had occurred over the past two years and to incorporate some language from the companion resolution on the subject adopted by the Commission on Human rights in April 2000. The articulation of human rights norms and their codification into treaties had been one of the major accomplishments of the United Nations since its inception. The human rights treaties, and their committees, were a central part of the promotion and protection of human rights and fundamental freedoms. That was a collective effort and treaty bodies required the support and assistance of the Secretariat and States parties in order to ensure their effective functioning. The draft resolution attempted to address some of the major challenges facing the treaty bodies, the Secretariat and the States parties in the fulfilment of their responsibilities.

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (*continued*) (A/55/177, A/55/213 and Add.1, A/55/214 and Add.1, A/55/275 and Add.1, A/55/279, A/55/280, and Add.1 and 2, A/55/283, A/55/288, A/55/289, A/55/291, A/55/292, A/55/296 and Add.1, A/55/302, A/55/306, A/55/328, A/55/342, A/55/360, A/55/395-S/2000/880, A/55/404-S/2000/889, A/55/408 and A/C.3/55/2)

(c) Human rights situations and reports of special rapporteurs and representatives (*continued*) (A/55/269, A/55/282 and Corr.1, A/55/294, A/55/318, A/55/335, A/55/346, A/55/358, A/55/359, A/55/363, A/55/374, A/55/400, A/55/403, A/55/509 and A/55/426-S/2000/913)

(d) Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action (*continued*) (A/55/36 and A/55/438-S/2000/93)

(e) Report of the United Nations High Commissioner for Human Rights (*continued*) (A/55/36)

11. **Mr. Belinga-Eboutou** (Cameroon) said that universal respect for human rights was increasingly necessary at the dawn of a new century in which globalization and new information technologies had transformed the world into a "global village". Since the adoption of the Universal Declaration of Human Rights in 1948, considerable progress had been made in the sphere of fundamental rights, but much more remained to be done. Human rights were universal, indivisible and interdependent, and every human being should enjoy those rights irrespective of race, sex, religion or political persuasion. Cameroon renewed its commitment to cooperate with the international community in ensuring that the new century became a century of dignity for all peoples and respect for all human rights. The work of the international community in that area should concentrate on the promotion of the rule of law and on the organization and functioning of the State in accordance with democratic principles and respect for human rights. It should also accord priority to the fight against poverty, as that was one of the most serious threats to human dignity and it nullified the other fundamental rights.

12. Cameroon had opted for the creation of a democratic State and, to that end, had ratified almost all human rights instruments and met its related commitments, including the submission of reports to the monitoring bodies established by those instruments. At the domestic level, standards had been set through the adoption of numerous laws dealing with fundamental rights and freedoms. The Constitution of 18 January 1986, for example, embodied a real commitment to the promotion of human rights by making the international human rights instruments ratified by Cameroon part of its constitutional framework. In addition, the new Constitution provided for the creation of institutions necessary for establishing the rule of law as well as for decentralization with a view to achieving a more participatory democracy in which minority rights were protected. Cameroon had ratified and integrated into its constitutional framework the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The Constitution also confirmed the right to life and physical and moral integrity and the right not to be subjected to torture. In order to implement both the Convention and the Constitution, in January 1997 Law No. 97/009, which incorporated in the Criminal Code an article defining the crime of torture in the same terms as the Convention and prescribed the punishment for that crime and Law No. 97/010, which amended and finalized extradition procedures, had been promulgated.

13. Objective analysis of the situation in Cameroon demonstrated the tireless efforts of the public authorities to guarantee full respect for human rights at all levels. However, economic difficulties were a real obstacle to the full enjoyment of human rights, despite the best efforts of governments. Although the international community certainly condemned human rights violations, it was important to provide encouragement and support for the efforts undertaken by countries like Cameroon. In that context, he welcomed the efforts of the United Nations High Commissioner for Human Rights to do so all over the world and in particular in Central Africa, where she had supported the establishment of the Subregional Centre for Human Rights and Democracy. He looked forward to the imminent arrival in Yaoundé of a human rights adviser who would assist in activating the Centre and promote cooperation between the Office of the High Commissioner, the Economic Community of Central African States (ECCAS) and other relevant bodies of the United Nations Standing Advisory Committee on Security Questions in Central Africa. Human rights education also contributed to the development of a culture of peace and international security. The proposal by the Office of the High Commissioner for Human Rights to organize a seminar in 2000 for the purpose of defining criteria and indicators for expanding the right to education must therefore be supported, taking into account the concerns expressed by the Group of 77 during

negotiations on the related programme of the new United Nations medium-term plan.

14. **Mr. Tekin** (Turkey) appreciated and supported the efforts of the Office of the United Nations High Commissioner for Human Rights to promote human rights throughout the world. He noted that when the Millennium Summit was held, there were 273 signatures, accessions or ratifications of international human rights instruments. In addition, at the dawn of the new millennium, as a result of globalization, boundaries between nations on issues such as good governance and human rights were rapidly disappearing. The High Commissioner nevertheless expressed concern about the human rights situation in the world, and had warned that the human rights treaty instruments could not be truly effective without adequate resources. She had also noted that in spite of the progress made, there had been little movement in key areas such as the prevention of gross violations of human rights and the practical application of knowledge and awareness of human rights at the grass-roots level. He cautioned, however, that while no effort must be spared in the promotion of democracy and the strengthening of the rule of law, human rights issues must not be used to destabilize other countries with agendas which departed from the declared objective of protecting human rights. Constructive criticism was essential for promoting human rights in the world, because no country was perfect in that respect. There was room for improvement everywhere and each country had the duty and obligation to achieve the highest standards of human rights, a goal which was only possible in a pluralistic democracy.

15. Turkey, as a member of the family of democratic nations, had contributed to the development of international human rights instruments and was open to most of the international monitoring mechanisms, while its independent judiciary, free media and increasingly influential non-governmental organizations also played a prominent role in safeguarding human rights. The Government and Parliament constantly reviewed human rights legislation with a view to ensuring that its citizens enjoyed the highest standards of human rights. Legislative measures were complemented by measures for human rights education; human rights courses were taught at the primary and high school levels as well as in programmes intended to prepare future civil servants. In addition, a high-level interministerial human rights coordinating body constantly monitored human rights issues, took decisions and ensured follow-up. At the international level cooperation continued with the human rights treaty bodies. The Special Rapporteur of the Commission on Human Rights on the question of torture and other cruel, inhuman or degrading treatments or punishments and on religious intolerance had visited Turkey in 1998 and 1999 and a visit from the Special Rapporteur of the Commission on Human Rights on extrajudicial summary or arbitrary executions was expected shortly. At the regional level, Turkey cooperated fully with the Organization for Security and Cooperation in Europe (OSCE) and the Council of Europe. Furthermore, in August 2000 Turkey had signed the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. During the Millennium Summit, Turkey had also signed the two optional protocols on the Convention on the Rights of the Child and the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women.

16. Turkey cherished the diversity of its peoples and the rights of its citizens, whatever their ethnic origin, religion or language. Human rights issues, the strengthening of democratic institutions, and constitutional and legislative reform had been national priorities in spite of the country's long and painful experience with one of the world's worst terrorist campaigns. It had successfully fought terrorism while at the same time making remarkable progress in the field of human rights. Those who had provided assistance, shelter and financial resources to terrorist organizations had failed to undermine Turkey's commitment to democracy and human rights.

17. *Mr. Alaei (Islamic Republic of Iran), Vice-Chairperson, took the Chair.*

18. **Mr. Hynes** (Canada) said that the Millennium Summit had reinforced the vital role of the United Nations in serving the peoples of the world, by emphasizing the Organization's responsibility for building a culture of respect for human rights in all States and better enforcing humanitarian and human rights law. The Committee's human rights debate was useful in responding to that demand by confronting the failures of Governments and the international community and identifying what must be done.

19. Human rights were especially in jeopardy in situations of armed conflict, as had been demonstrated in a number of tragic situations. In the Sudan, Government forces indiscriminately bombed the population in the south, including schools and hospitals. The use of child soldiers, forced displacement, abductions, forced labour and the servile status of women and children were widespread. Although the liberation of 16 people who had been abducted by the Lord's Resistance Army was encouraging, the Government must implement fully its recent commitments. In the Republic of Chechnya in the Russian Federation, the conflict showed no signs of resolution and civilians remained at risk from combat between Russians and Chechens as well as terrorism and land mines. The conflict could only be ended through comprehensive negotiated political solution. The Russian Federation should cooperate more closely with international experts, including those of the United Nations. In the Democratic Republic of the Congo a worsening human rights situation had been exacerbated by the continuing presence of foreign troops in the country. All parties to the conflict must protect humanitarian personnel in the zones under their control. He strongly encouraged all signatories to the Lusaka Agreement to fulfil their undertakings to respect human rights and humanitarian law. In Burundi, the signature of the Arusha Peace Agreement was to be welcomed, but the fighting continued, and he called on the rebels to cease their attacks and conclude a ceasefire agreement. The human rights situation in Afghanistan continued to be appalling, particularly the treatment of women sanctioned by the Taliban and the use of air power against civilians. The Taliban must recognize that they would obtain nothing from the outside world until such practices stopped. In Colombia, the single most serious human rights issue remained the deliberate targeting of civilians by illegal armed groups. The Government should ensure access to de facto prisoners of war, protect human rights defenders, the indigenous population, and the Peace Communities, and must bring to justice those responsible for threats, murders and kidnappings. The long-standing conflict in Sri Lanka and the serious violations of human rights and humanitarian law by both the Government and the forces of the Liberation Tigers of Tamil Eelam were yet another example of the impact of war on civilian populations, particularly children.

20. In other instances, the aftermath of conflict had left countries in a fragile transition period. The ways in which countries tackled issues of impunity, conducted elections, built functioning human rights institutions and cooperated with the international community would determine whether they moved forward to lasting peace or reverted to situations of conflict. Eritrea and Ethiopia were largely abiding by the agreement on cessation of hostilities, but the human rights and humanitarian situations in both countries remained a matter of concern. Both Eritrea and Ethiopia should remain fully engaged in the Organization of African Unity (OAU) peace process. Respect for human rights in Bosnia and Herzegovina had improved over the past year, thanks to considerable international pressure. The establishment of a transparent and impartial judicial system and cooperation with the International Criminal Tribunal for the Former Yugoslavia were crucial to the long-term prospects. The recent stepping down from power of indicted war criminal Slobodan Milosevic in the federal Government of Yugoslavia was a welcome development; his delegation hoped that it would lead to a much improved human rights situation in the country. In Sierra Leone, the peace process remained stalled and the demobilization, disarmament and reintegration programme had virtually stopped. Canada supported moves to create a special tribunal to judge the perpetrators of crimes against humanity. He welcomed the recent agreement between the Cambodian Government and the United Nations on a war crimes tribunal for the Khmer Rouge period and encouraged it to adopt the necessary legislation. He also urged the Government to ensure that the forthcoming municipal elections would take place without violence. The efforts of Haiti to fight impunity were encouraging, but his delegation remained concerned by the overall human rights situation. Canada hoped that the Organization of American States (OAS) would facilitate a dialogue which would correct the main deficiencies in Haiti's legislative elections. In Indonesia, the resurgence of violence in Aceh, the Moluccas and West Timor continued to be of concern, as did the plight of a million people who had been displaced within their own country. He welcomed the Government's extension of the humanitarian ceasefire in Aceh, and encouraged it to continue to prosecute human rights violations in all regions.

21. Although the primary obligation to protect human rights lay with the State, it could not be discharged

through authoritarian dictates without regard for the wishes of citizens. Government by decree was not the same as the rule of law. In that context the Government of Iraq continued to rule by terror and refused serious engagement with the new Special Rapporteur of the Commission on Human Rights. The situation of human rights in Myanmar continued to deteriorate and the authorities were resorting to increasingly repressive treatment of Aung San Suu Kyi and the National League for Democracy. His delegation urged immediate steps to comply with the International Labour Organization recommendations regarding forced labour, and reiterated its call for genuine commitment to national reconciliation. In the Democratic People's Republic of Korea, where the absence of respect for human rights was a long-standing concern, Canada welcomed the Government's shift towards greater international engagement. To encourage such progress, Canada had recognized the Democratic People's Republic of Korea as a State and would urge it to act in accordance with the rule of law and international human rights standards.

22. A State's willingness to accept international scrutiny by treaty bodies and other human rights mechanisms helped build respect for the rule of law. Canada commended China's efforts to modernize its legal system and carry out important, difficult economic reforms, but remained concerned about continued restrictions on civil and political rights, which were crucial to progress on all fronts. Canada urged China to assign high priority to ratifying and implementing the agreements it had signed. The same applied to Malaysia, which had seen a broad decline in the human rights situation and especially the right to peaceful dissent and to freedom of expression over the past year.

23. Treaties, constitutional provisions and political commitments to respect human rights were meaningless unless they were implemented. Canada strongly urged the Government of Viet Nam to respect the political and religious freedoms protected by its Constitution and to have less recourse to the death penalty. Canada was also concerned about the increasingly frequent recourse to the death penalty and other forms of cruel punishment in Saudi Arabia, often without respect for due process. It hoped that the Saudi Arabian Government's stated readiness to pay greater attention to United Nations human rights mechanisms would be reflected in greater conformity with international human rights standards. Despite the institutional initiatives that the Government of Pakistan had begun to take, full implementation of its commitments to democratic transition and reform was essential to put an end to widespread human rights violations in that country. In Iran, where the President's plans for a more democratic society faced entrenched opposition, much more progress was required on women's human rights, freedom of opinion and expression and freedom of religion, particularly with regard to the Baha'i. Canada regretted that there had been no substantial improvement in the human rights situation in Cuba over the past year and was deeply concerned that individuals continued to be harassed, detained and imprisoned for expressing their political views. In the Middle East, humanitarian principles and human rights were chronic casualties of the prevailing crisis in the region. Canada urged both parties to cease the violence immediately and resume negotiations. It welcomed the commitments made at Sharm el-Sheikh and called on the parties to respect them. The success of those political efforts would hinge on the ability of all concerned to put the safety, security and human rights of people first, and in so doing, to help bring calm, tolerance and stability to the region.

24. The Millennium Summit had endorsed a vision of the United Nations with the tools to make a real difference for people — in effect, to promote and ultimately ensure the enjoyment by people in all parts of the world of all their human rights. That was a goal that no country, including his own, could claim to have achieved; the debate under that item underscored the magnitude of the challenge which the world faced. Canada pledged its full cooperation with the United Nations in its efforts to translate the Millennium vision of all leaders into a daily reality for all citizens, whom States were duty-bound to serve.

25. **Mr. Erdös** (Hungary) endorsed the statement made by France on behalf of the European Union on human rights issues. On the question of the danger represented by manifestations of intolerance and discrimination, it must be recognized that each country had problems that must be solved at the national level. A clear repudiation of all forms of discrimination and the adoption of the necessary anti-discrimination measures, together with active participation in all international action to combat human rights violations, should be part of a consistent framework of government action.

26. In that context, one of the most urgent problems in central and eastern Europe was the situation of the Roma, who constituted a large ethnic group in Hungary and whose integration into society was as much a minority issue as an issue of social policy. His Government, in cooperation with the Roma autonomous administration, had adopted a series of medium-term measures, with associated annual action plans, the objective being to reduce social inequality, combat prejudice and prevent discrimination, and also to strengthen the Roma communities' identity and culture. The parliamentary commissioner for national and ethnic minorities served as the mediator for all minorities in Hungary, and his activities were a guarantee against impunity for breaches of the laws in force in that sphere. The United Nations High Commissioner for Human Rights had praised that institution in the speech she had made in Strasbourg at the recent European preparatory meeting for the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance. The holding of that Conference in 2001 would be a milestone on the road to mobilizing the international community in the protection of human rights. It must be recognized that the social integration of the Roma could not be achieved in the short term, and Hungary, in cooperation with the Council of Europe, was working on a long-term strategy to improve their social and legal situation and living conditions. The effectiveness of the strategy would be enhanced by action taken at the regional level by multilateral organizations such as the Organization for Security and Cooperation in Europe and the European Union. The government representatives responsible for minority affairs of Romania and the countries of the Visegrad Group (Czech Republic, Hungary, Poland and Slovakia) had recently met in Prague to exchange views and experience on those countries' various approaches to Roma issues. The participants had agreed to support in their respective countries programmes that advocated tolerance and understanding and that emphasized the importance of action against xenophobia.

27. He wished to reiterate Hungary's vision of a future Europe as a continent united with respect to its values and aspirations, yet diverse with respect to its ethnic, religious and linguistic composition as well as to its traditions and customs. The human rights situation in society was closely related to the teaching and transmission of democratic values from generation to generation. His Government recognized the importance of the United Nations Decade for Human Rights Education and had taken a number of educational and promotional measures in support of the establishment of a tolerant and multi-ethnic society. It must be acknowledged, however, that the manifestations of intolerance, xenophobia, demagoguery and political extremism were still part of European reality. Ignoring that reality would have grave consequences for democracy and the rule of law. Recalling that the protection of human rights was one of the core values of the foreign and domestic policies of the States participating in the construction of Europe, he said that the countries that aspired to join the European Union should give expression to that lofty aspiration through concrete measures aimed at consolidating democracy, strengthening the rule of law and creating stable institutions; in other words, applicant countries should adopt measures that reflected their willingness to carry out reforms. Thus, the expansion of the European Union constituted an achievement for the United Nations as far as human rights and fundamental freedoms in the world were concerned.

28. His delegation welcomed the readmission of the Federal Republic of Yugoslavia, Hungary's southern neighbour, to membership of the United Nations, and hailed the victory of democracy and popular will in that country with which Hungary had forged myriad ties over the centuries. He wished the peoples of Yugoslavia success in their monumental undertaking of national reconstruction and the construction of a democratic society that respected human rights, including the rights of minorities.

29. **Mr. Ahmad** (Pakistan) said that the respect for all human rights and fundamental freedoms was the essential ingredient of international law. No single nation could claim custodianship of those basic rights. Aware that the Universal Declaration of Human Rights provided for "a common standard of achievement for all peoples and all nations" in their pursuit of the promotion and protection of all human rights, his Government was committed to the promotion and protection of the human rights of its citizens and was making earnest efforts to address problems besetting society in that area. It had designated the year 2000 as the year of "human rights and human dignity" to educate all segments of society on the importance of promoting and protecting human rights. Moreover, a comprehensive package of human rights initiatives had

been announced, some of which were already in the process of implementation. A comprehensive law had been promulgated on the juvenile justice system, which abolished the death penalty for offenders who were under 18 years of age at the time the crime had been committed. The Pakistani Citizenship Act of 1951 had been amended to provide equal rights to Pakistani citizenship to the children of Pakistani women or men married to foreigners. The physical environment of jails had been improved and more than 25,000 prisoners convicted of petty crimes had been freed. The Permanent Commission on the Status of Women had been established with a broad mandate to bring all governmental actions having a bearing on women and girls in line with Pakistan's international human rights obligations. The Commission had identified combating all forms of violence against women as its top priority. The Women Distress Fund, which provided legal assistance to women in distress, was now operational. The Government was taking appropriate steps to establish a National Human Rights Commission to provide the institutional arrangements for the promotion and protection of human rights of all segments of society, particularly women, children, minorities and other vulnerable groups.

30. Poverty was an affront to human dignity and was one of the major obstacles to the full and effective enjoyment of human rights. The lack of resources often hampered developing countries' efforts to invest in infrastructure, training and capacity-building for the promotion and protection of human rights. The widening income gap between the rich and the poor in the wake of globalization had further aggravated that situation. The Secretary-General's report on the impact of globalization on the full enjoyment of human rights highlighted how global economic changes and external shocks could add to the vulnerabilities of developing countries and have an adverse impact on their full enjoyment of human rights. That issue needed further study in order to have a clearer understanding of all its implications. Pakistan attached particular importance to the full realization of the right to development. Having carefully considered the proposal by the Independent Expert on the Right to Development regarding the "development compact", his delegation considered the conditions attached to that concept totally unacceptable, since they were part of attempts to legitimize discriminatory international trade regimes by imposing cross conditionalities on developing countries.

31. Most serious violations of human rights occurred under foreign occupation and situations of armed conflict. The situation in the occupied Palestinian territories was a matter of grave concern to his delegation. It therefore called upon all concerned to exercise restraint. The primary responsibility for improving the situation rested with the Israeli authorities. The disproportionate use of force must be stopped and an independent international inquiry must be conducted to determine the responsibility for the setback in the peace process. A permanent and comprehensive solution to the Question of Palestine should provide for the establishment of a State for the Palestinian people on the basis of their inalienable right to self-determination.

32. South Asia was the scene of one of the most atrocious human rights violations, in Indian occupied Jammu and Kashmir, whose people, struggling for their inalienable right to self-determination, were being subjected to brutal repression by the Indian occupation forces. Furthermore, in an effort to mislead world opinion, mercenary groups had been created to terrorize the population and commit massacres. India's atrocities in Kashmir had been well documented by international human rights organizations. Asia Watch, in its report of 1999 entitled "India: Behind the Kashmir Conflict", had urged the General Assembly to condemn abuses by Indian security forces in Kashmir and called upon India to permit United Nations working groups and special rapporteurs to visit Kashmir. It had also called upon the United Nations High Commissioner for Human Rights to visit Kashmir and submit her findings to the Security Council and the General Assembly. According to Amnesty International's most recent report in 1999, the Government of India had not made any substantive response to allegations concerning the disappearance of between 700 and 8,000 people, whose fate remained unknown.

33. The Special Rapporteur on religious intolerance had also referred in his report to the massacre of Sikhs in Indian occupied Kashmir, which had coincided with the visit made to India by the President of the United States of America in March 2000. Independent observers had reported that there was every reason to believe that the massacre of innocent Sikh civilians had been orchestrated by India to give the impression to President Clinton and the many influential American journalists in his party that India was the helpless

victim of an alleged group of Islamic terrorists from Pakistan and Afghanistan. India's refusal to recognize the right to self-determination was the cause of the continuing human rights crisis in that region. More than 50 years earlier, the right of the people of Kashmir to self-determination had been affirmed in many Security Council resolutions and accepted by India. However, India had reneged on its word and used military force to strengthen its illegal occupation of the region. The international community, in particular the United Nations, had an obligation to meet the commitment made to the people of Kashmir so that they could exercise their inalienable right to self-determination. A peaceful settlement of the Kashmir problem would lead to peace, development and prosperity for the entire region of southern Asia.

34. In conclusion, with regard to the statement made by the representative of Canada, he observed that Canada seemed to have arrogated to itself the role of custodian of human rights the world over, a role which his Government could not accept. Canada's opinion would carry more weight were it not for its appalling silence in the face of the gross, systematic and well-documented human rights violations perpetrated by India in occupied Kashmir. Principles, and not expediency must govern the efforts of a human rights defender. He observed that in Canada women were treated as objects and exploited for purposes of trade, exhibitionism, tourism and entertainment. Furthermore, until recently the police in certain Canadian cities had left native Canadians accused of minor offences to die in the cold during the winter, which was a form of extrajudicial execution.

35. **Ms. Morgan** (Mexico) said that her Government accorded the highest priority to the promotion and protection of human rights and had adopted numerous measures in that regard. Since 1998 Mexico had had a national programme for the promotion and strengthening of human rights, in which various institutions, along with civil society and social organizations, participated. Dialogue with national non-governmental organizations had also been strengthened, in part for the purpose of evaluating that national programme. In 1997 an inter-departmental commission to monitor Mexico's international human rights commitments had been established. Mexico was a party to 58 human rights instruments and, during the current administration, had ratified nine international conventions; it had also accepted the jurisdiction of the Inter-American Court of Human Rights for the settlement of disputes. It had signed the optional protocols to the Convention on the Rights of the Child and the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women, as well as the Rome Statute of the International Criminal Court. In keeping with Mexico's tradition of full cooperation with the representatives of international human rights mechanisms, during the current administration and by invitation of her Government, a number of international officials had visited the country, including the United Nations High Commissioner for Human Rights. Also under the current administration, legislative reforms had been approved granting full autonomy to the national human rights commission, as well as at the local level, the necessary amendments to enable an increasing number of state commissions to enjoy full independence. In the area of the fight against torture, all allegations had been rigorously investigated and training courses for the police and military personnel had been increased. With regard to the administration of justice, important initiatives had been adopted to strengthen the judiciary and guarantee its independence.

36. One of her Government's main concerns was the situation of migrants, who were victims of human rights violations and acts of violence and humiliation; it was particularly concerned about incidents in recent months along Mexico's northern border in which individuals had illegally detained migrants. In accordance with the commitments made by the Heads of State and Government in the Millennium Declaration, her delegation would submit three draft resolutions to the Committee. The first draft resolution called upon States to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; the second reiterated the international community's interest in protecting migrants and stressed the important work of the Special Rapporteur of the Commission on Human Rights on the human rights of migrants; and the third proposed establishing 18 December as the International Migrant's Day.

37. **Mr. Parnohadiningrat** (Indonesia) said that in his country the Government, non-governmental organizations and civil society were working together for the promotion and protection of human rights in order to overcome current and emerging problems. Achievements included the establishment of

democratic institutions such as the Ombudsman and the Ministry of Justice and Human Rights, the strengthening of the National Commission on Human Rights and other specialized institutions dealing with particular rights, the fulfilment by the democratically elected Parliament of its constitutional mandate to provide checks and balances on the executive branch, and the independent and free functioning of the media. Given the country's multi-ethnic, multicultural and multi-religious make-up, the transition to democracy was an extremely complex process. The unrest in some parts of the country might stem from the social, cultural, economic and demographic changes that had taken place over time. It was for that reason that every effort for the maintenance of peace, the protection of the environment and the achievement of sustainable and equitable development, as part of the endeavours to promote and protect human rights, was being made through cooperative action at the national level. A strengthening of democratic ideals was being witnessed throughout the country, but those ideals could be threatened by intolerance, coupled with economic disparities within society. To cope with such challenges, Indonesia was striving for stronger institutions and infrastructures. It was astonishing that, despite the strenuous efforts that his Government was making to improve the human rights situation, certain delegations deemed it necessary to urge Indonesia to do more, when it would be more useful for them to offer help in finding solutions. His Government's commitment to strengthening human rights extended beyond the country's borders. It had supported the setting up of a human rights mechanism within the Association of South-East Asian Nations (ASEAN) to serve as a regional centre for training, research and development and for information dissemination and policy analysis on human rights.

38. The report of the Office of the United Nations High Commissioner for Human Rights drew attention to significant progress in the integration of human rights in the development process. His delegation believed that the right to development required not only effective policies at the national level but also a favourable economic environment at the international level. It welcomed the report of the independent expert on the right to development, particularly the attention devoted to the international dimension of that right. It also took note of the activities of the Working Group on the Right to Development and the progress made at its September 2000 meeting. It hoped that positive results would be achieved at the Working Group's next meeting, scheduled for January 2001, ending the impasse of more than 10 years since the adoption of the Declaration on the Right to Development. With regard to the implementation of human rights instruments, his delegation welcomed the efforts of the chairpersons of the human rights treaty bodies to further improve their functioning and ensure the effective implementation of those instruments. It noted from the report of the High Commissioner the importance attached to voluntary contributions, but took the view that adequate resources for the operation of each human rights body should be provided from within the regular budget of the United Nations. With regard to technical cooperation in the field of human rights, he stressed the importance of cost-effective and efficient implementation. Benchmarks to measure effectiveness should be established and a joint supervisory mechanism should be devised to ensure that programmes were implemented in a professional manner. Regarding the Memorandum of Understanding between the Office of the High Commissioner and the Government of Indonesia, the latter had decided not to renew the programme at its expiration date, since it believed that only cooperation based on mutual respect and taking fully into account the needs of the recipient country could be sustained.

39. **Mr. La** Yifau (China), speaking in exercise of the right of reply, said that the representatives of the United States and Canada had attacked his country. The United States representative had arrogantly accused more than 10 countries on the five continents, all of them developing countries. It would be appropriate to look at of the current human rights situation in the United States. The racial discrimination existing in that country was well known, as were police brutality against the population, the cruel treatment of prisoners and the violations of women's human rights. A country with such a negative record was in no position to talk about human rights, still less to censure other countries. The United States representative had repeatedly urged other countries to change their behaviour and to implement international human rights conventions. However, very few countries were doing so as yet, and the United States was not one of them as far as the International Covenant on Economic, Social and Cultural Rights and the Convention on the Rights of the Child were concerned. He hoped that the United States would have the courage to remedy its own shortcomings, improve its behaviour, quickly ratify the

aforementioned instruments and withdraw its numerous substantive reservations to the International Covenant on Economic, Social and Cultural Rights. What was even more shameful was that the United States Government used heavy weapons to attack its own religious groups while criticizing the legitimate actions carried out by the Chinese Government against the Falun Gong sect, with the full support of the Chinese people. The United States delegation was applying double standards and interfering in China's internal affairs. Over the past year, his Government had not only redoubled its efforts to eradicate poverty and maintain and accelerate the growth of the economy in order to improve the population's enjoyment of economic, social and cultural rights, but also taken steps to establish democratic political and law enforcement systems and improved the system of judicial oversight. All those measures had improved the situation of the population, including all ethnic groups and minorities.

40. **Ms. Al-Juburi** (Iraq), speaking in exercise of the right of reply, said that the United States, which had called for others to be put on trial, should be the first to be judged since it was the primary perpetrator of many crimes against humanity. It had been the first to use the atomic bomb and had used dioxins and excessive force against the people of Viet Nam. It had been engaged in an appalling campaign of genocide against the Iraqi people for the past 10 years and it was insisting on maintaining the embargo and sanctions against Iraq and using its veto to prevent the Security Council from adopting a resolution to lift sanctions that had caused a humanitarian disaster and more than 1.5 million deaths, most of them women and children. It had used uranium and radioactive substances against Iraq, with catastrophic consequences for the environment and for the health of not just the current generation but many generations to come. In 1991, the United States had bombed the Al'Amadiyah shelter, with the result that more than 850 children and civilians who had taken refuge there had burned to death. It had used overwhelming force to destroy the civil infrastructure of Iraqi society, undermining the Iraqi people's right to life, development and social and humanitarian assistance. It had also imposed no-fly zones without the approval of authorization of any Security Council resolution, while its aircraft carried out daily bombing raids against Iraq's civilian and economic infrastructure and facilities, causing tremendous human suffering and material damage; some 3,000 Iraqi citizens had dies as a result. With regard to the accusation by the United States representative that Iraq was trying to take advantage of the current tension in the Middle East to provoke a war, he reiterated that Iraq's position had always been one of total support for the Palestinian people and could not be attributed to the tragic events which that people was currently experiencing. The United States seemed to be saying that defending the right of the Palestinian people to liberate their territory from Zionist occupation was a hostile act as far as, human rights were concerned. The current balance of power in the world would not last for ever and the day would come when the United States was judged for the crimes that it had committed in the area of human rights.

41. **Mr. Ogurtsov** (Belarus), speaking in exercise of the right of reply to the statement made by the United States representative, pointed out that on 15 October 2000 Belarus had held parliamentary elections in accordance with its Electoral Code. Those elections had been monitored by 198 international observers from 28 countries around the world; a group of experts had expressed satisfaction with them and more than 140 observers had judged them to be free, open and fair. He was therefore at a loss to explain why the United States delegation had used information about the elections which had not been verified and which was absolutely unfounded. His delegation was also surprised that a civilized, democratic country had requested, almost formally, the repeal of a law adopted by the authorities of another sovereign State. Such a demand was inappropriate in the context of United Nations deliberations and recalled the confrontations of an era which he had thought long gone.

42. **Mr. Al-Mautada Mubarak** (Sudan), speaking in exercise of the right of reply to the unfair and irresponsible accusations made by the representative of Canada against his country, denied that his Government was bombing civilian targets: the rebels were using civilian installations as military bases from which to launch attacks on other parts of the country. His Government had agreed to give southern Sudan the right of self-determination, and it hoped that its people would freely opt for the country's unification. Sudan had admitted some 3 million people from southern Sudan who had sought refuge from the fighting. The representative of Canada had mentioned the plight of people who had been deported against their will, but had failed to mention that the Government was trying

to develop the region's resources, such as oil. Instead of commending the Government's efforts to safeguard human rights and develop the region, the representative of Canada had chosen to raise the issue of citizens deported against their will.

43. **Mr. Shahub** (Saudi Arabi), speaking in exercise of the right of reply, expressed surprise at the accusations which the representative of Canada had made against his country and its judicial system without making any effort to understand its culture and history. His country's judicial system was based on the Shariah and its Constitution on the Koran. The Canadian delegation and others which made a habit of attacking Islam did not understand the essence of the religion that united millions of people. Canada had taken a selective approach to human rights; it was up to each sovereign State to decide whether or not to apply the death penalty, and that did not violate international law. His delegation categorically rejected the statement by the representative of Canada and the criticisms of its judicial system and urged that representative of Canada to visit Saudi Arabia's web site to find out what really went on in the country. That representative of Canada would have been better advised to raise the issue of the murders being committed against the Palestinian people, which could be seen every day on television.

44. **Mr. Le Hoai Trung** (Viet Nam), speaking in exercise of the right of reply, recalled that there had already been extensive debates on the death penalty and that the latter was not a human rights issue. In Viet Nam, the death penalty was strictly regulated by law; it was applied to ensure the safety of society and only for the most serious crimes. With regard to political and religious freedoms, they were not only enshrined in the Constitution but also elaborated upon in other instruments. There was strict respect for political, religious and cultural rights in Viet Nam. In the interest of dialogue and full cooperation, nations in general should not take it upon themselves to judge others.

The meeting rose at 5.25 p.m.

United Nations A/C.3/55/SR.44

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Third Committee

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Chairman: Ms. Gittens-Joseph ..... (Trinidad and Tobago)

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00-72445 (E)

The meeting was called to order at 3.15 p.m.

Agenda item 112: Elimination of racism and racial discrimination (*continued*)

Draft resolution A/C.3/55/L.25/Rev.1

1. **Mr. Ogurtus** (Belarus), introducing the draft resolution entitled "Measures to be taken against any neo-Nazi activities and any ideologies and practices based on racial or ethnic discrimination or superiority", said that appropriate, decisive measures must be taken in order to combat the increasing manifestations of racism based on racial or ethnic discrimination or superiority. That was confirmed by the events described in the report of the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance (A/55/304), as well as by the incidents occurring daily throughout the world. It was particularly important to discuss the problem during the current session, since the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance would be held in 2001. The support shown by numerous delegations from various regions of the world during the discussions on the draft resolution which had resulted in the revised version of the text gave reason to hope that the draft resolution would be adopted without a vote.

Agenda item 114: Human rights questions (*continued*)

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (*continued*) (A/55/177, A/55/213 and Add.1, A/55/214 and Add.1, A/55/275 and Add.1, A/55/279, A/55/280 and Add.1 and 2, A/55/283, A/55/288, A/55/289, A/55/291, A/55/292, A/55/296 and Add.1, A/55/302, A/55/306, A/55/328, A/55/342, A/55/360, A/55/395-S/2000/880, A/55/404-S/2000/889, A/55/408 and A/C.3/55/2)

(c) Human rights situations and reports of special rapporteurs and representatives (*continued*) (A/55/269, A/55/282* and Corr.1, A/55/294, A/55/318, A/55/335, A/55/346, A/55/358, A/55/359, A/55/363, A/55/374, A/55/400, A/55/403, A/55/509 and A/55/426-S/2000/913)

(d) Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action (*continued*) (A/55/36 and A/55/438-S/2000/93)

(e) Report of the United Nations High Commissioner for Human Rights (*continued*) (A/55/36)

2. **Mr. Karev** (Russian Federation) said that the process of globalization was strengthening the interrelationships between States and peoples, and that human rights must be a factor uniting the community of nations. The defence of human rights must cease to be used as a pretext for the attainment of political objectives, and the doctrine of "restricted sovereignty" must cease to apply. Otherwise, situations would arise like that which currently prevailed in Kosovo. As could be gathered from the reports of the Special Rapporteur of the Commission on Human Rights, ethnic cleansing continued in that region, where more than 200,000 Serbs and members of other minorities had lost their lives. It was unacceptable that the Serbian population and other minorities should be left out of the democratic process in the Kosovo elections. The provisions of Security Council resolution 1244 (1999) must be fully and unconditionally fulfilled, with a view to establishing a multiethnic, democratic society, initiating political negotiations as soon as possible, and concluding an agreement on the status of Kosovo within the Federal Republic of Yugoslavia, principles established in the joint declaration formulated by the Presidents of the Russian Federation and the Federal Republic of Yugoslavia following the talks they held in Moscow on 27 October 2000. Yugoslavia was living through an historic phase. The process of democratic transformation gave reason to hope that the country would achieve stability. The new leaders needed international support in such spheres as economic reconstruction, reintegration into international organizations and the European cooperation system. In that context, the territorial sovereignty and integrity of the country was a fundamental precondition for the long-term stabilization of the region.

3. The situation in the Middle East was increasingly dramatic. As a co-sponsor of the peace process, the Russian Federation consistently urged all parties to take concrete measures to halt the violence. The Israeli forces must withdraw immediately from the conflict zones, guarantees must be given that force would not

be used against the Palestinians, the blockade of the Palestinian territories must be lifted, the Palestinian police must restore public order, and both parties must respect the holy sites and ensure their security. Furthermore, consultations must be held with the participation of the co-sponsors and the interested parties with a view to identifying an appropriate mechanism for subsequent negotiations. Such a mechanism should allow for the renewal of the peace process in the Palestinian, Syrian and Lebanese sectors on the basis of existing Security Council decisions, in particular resolutions 242 (1967) and 338 (1973). The Russian Federation would maintain its contacts in the Middle East with a view to normalizing the situation there and to achieving a comprehensive settlement, without which the human rights situation in that region could not be resolved.

4. Turning to the situation of the Afghan people, he noted that the report of the Special Rapporteur of the Commission on Human Rights on the situation of human rights in Afghanistan (A/55/346) described large-scale summary executions, violations of women's rights and restrictions on United Nations activities in that country. The only possible conclusion was to agree with the Special Rapporteur that those responsible must be brought to justice before international criminal courts. Afghanistan had become the world centre for terrorism and illegal drug trafficking, and the springboard for cross-border instability. The international community must recognize the seriousness of the dangers emanating from Afghanistan and adopt decisive collective measures to deal with them.

5. The Russian Federation had responded with dignity to the campaign launched against it by the forces of terrorism and international extremism in the Chechen Republic. The military phase of the anti-terrorist operation had concluded and the political process aimed at achieving a settlement had begun. Work was continuing to identify human rights violations and try those responsible. Mr. Kalamanov, the Special Representative of the President of Russia, was responsible for protecting civil rights and freedoms and his office was working actively to that end; his team included experts from the Council of Europe. The Commission of the Duma responsible for normalizing the social, political and economic situation and ensuring respect for human rights in the Chechen Republic was helping to coordinate efforts by the population and the State to promote respect for human rights in that Republic. The national non-governmental commission in charge of investigating violations of the law and human rights in the Chechen Republic maintained contacts with State judicial and public safety authorities and was cooperating with civil society. In addition, delegates from the International Committee of the Red Cross (ICRC) had full access to all persons detained by the Russian authorities as a result of security-related operations in the Chechen Republic. It had also been decided to invite representatives of the United Nations human rights mechanisms to visit the Russian Federation, including the North Caucasus region. Given that unprecedented openness and willingness to enter into a constructive dialogue, politically-motivated speculation was disappointing. The Russian Federation supported cooperation but rejected interference in its internal affairs; it was ready to accept recommendations from abroad but not to the detriment of national security and unity; it could accept an objective analysis of the situation but not justification of terrorism, slavery and hostage-taking. As the President of the Russian Federation had already pointed out, the Chechen problem could only be settled through a political process, but there would never be negotiations with terrorists and criminals.

6. In March 2000, Russia's multi-ethnic population chose a new president in a free and democratic election. Its priorities now were to strengthen public institutions, improve federal relations, develop the judicial system and the public administration, improve the functioning of the multi-party system and strengthen the role of civil society. In the context of that process of democratic renewal, one could not remain indifferent to the tragic humanitarian situation of Russians in Latvia and Estonia. The authorities of those countries continued to ignore recommendations by international experts that they bring their domestic legislation into line with internationally accepted standards. They had interpreted the indifference of the United Nations, the Organization for Security and Cooperation in Europe (OSCE) and other international organizations as tacit approval for intensifying discrimination against the Russian population and distorting the outcome of the Second World War. Latvia's representatives to the United Nations were wont to evoke their country's human rights experience and refer to a period when an occupying totalitarian regime had considerably modified the ethnic

composition of Latvia's population. Perhaps they were referring to the actions of the Latvian legion of the SS during which 90 per cent of Latvia's Jewish community had been exterminated or to the more than 100,000 deported persons from across Europe who had died in the Salaspils concentration camp. Former members of the SS now paraded down the streets of Riga and were honoured with military decorations as defenders of the homeland. In the face of such actions, the proposal from the Republic of Belarus on measures which should be adopted against neo-Nazi activities and ideologies and practices based on discrimination or racial or ethnic superiority, hate and terror, must be supported without reservations.

7. **Ms. Barghouti** (Observer for Palestine) said that the promotion and protection of the Palestinian people's human rights and fundamental freedoms were necessary prerequisites for the development, well-being and prosperity of future generations. The Palestinian people continued to strive to achieve their inalienable rights, including the right to independence, freedom and justice, in the face of constant violations of those rights. The seriousness of the situation in the occupied Palestinian territory, including Jerusalem, compelled her to raise that issue with the Committee and to highlight some matters of great concern. The situation had deteriorated to the extent that it threatened peace and stability in the area as well as the Middle East as a whole. The Palestinian people continued to be subjected to the most gross, systematic and widespread violations of their human rights by Israel, which persisted in oppressing the Palestinian people and creating illegal de facto situations on the ground in an attempt to break the Palestinian people's will and determination to realize their natural and inalienable rights, including the establishment of an independent State with Jerusalem as its capital.

8. Since 28 September 2000, Israel, the occupying Power, had used excessive and indiscriminate force, including tanks, helicopter gunships, missiles and rockets against Palestinian civilians, killing 160 and injuring 3,500. It had also closed international crossing-points, restricting the free movement of persons and goods, and denied the right to freedom of worship of Palestinians wishing to attend prayers in Jerusalem. In response to that tragic situation, the Commission on Human Rights had convened its fifth special session from 17 to 19 October 2000, at Geneva; at that session it had adopted an important resolution condemning the provocative visit by the Likud party leader, which had triggered the tragic events, as well as the disproportionate and indiscriminate use of force by Israel, in violation of international humanitarian law. There was an urgent need for the international community to provide the necessary protection for Palestinian civilians in the occupied Palestinian territories, including Jerusalem. Implementation of the resolution would help alleviate the suffering of the Palestinian people. In that context, she expressed appreciation for the High Commissioner for Human Rights' rapid response in convening the special session, thanked the delegations which had expressed their support and welcomed the report of the Special Rapporteur of the Commission on Human Rights on the situation of human rights in the occupied Palestinian territories on his visit to the occupied Palestinian territories, undertaken in accordance with Commission resolution 1993/2 A of 19 February 1993. She regretted that the Israeli authorities, despite the urging of the High Commissioner, had refused to meet and cooperate with the Special Rapporteur. She reaffirmed that Israel had a legal and moral duty to meet its international obligations and must stop the use of excessive and unjustified force against demonstrators and the Palestinian civilian population and immediately withdraw its security forces from the Palestinian Authority area in order to reduce the tension and instability which it had created. That would be a first step in addressing the deteriorating human rights situation of the Palestinian people.

9. **Mr. Tekle** (Eritrea) said that the current human rights situation was much worse than in the two previous years. Ethiopia was continuing to commit horrendous human rights violations not only against Eritreans or Ethiopians of Eritrean origin in Ethiopia but also against Ethiopians in Eritrea and Eritrean territories occupied after Ethiopia's third aggression in two years. The atrocities being committed in the occupied areas in particular were meticulously planned and increasingly systematic, barbaric, intense and callous. During their evil occupation, the invading forces had failed to meet the minimum standards of civilized behaviour. Even after signing the Cessation of Hostilities Agreement, the Ethiopian hordes had wilfully, wantonly and methodically launched indiscriminate attacks against civilian targets, taken prisoners, tortured, raped and murdered, attacked and destroyed villages, public facilities, cultural and religious infrastructures and institutions and engaged in

ethnic cleansing, causing large numbers of persons to become displaced. They had also forcibly conscripted children under the age of 15 and planted landmines in occupied territory. Such breaches of international humanitarian law, crimes against humanity, war crimes and crimes against peace had been witnessed and verified not only by members of international civil society but also by several executive heads and senior officials of the United Nations system.

10. Despite the vast array of instruments for the protection and promotion of human rights that now existed, human beings had repeatedly committed acts of cruelty against fellow human beings; that was a major source of concern and shame. A number of Member States of the United Nations were openly flouting the major human rights and humanitarian conventions and protocols which they had signed, thus promoting a culture of impunity; one such country was Ethiopia. Although some countries had protested initially, the lack of an effective response from the international community had allowed Ethiopia to commit gross human rights violations with impunity. In the name of "quiet diplomacy", many Governments and international organizations had refrained from openly condemning Ethiopia's atrocities or, in the case of some intergovernmental or non-governmental organizations, ostensibly because of "statutory constraints", although they had spoken out in other situations.

11. The international community must not only observe the provisions of human rights instruments but also ensure that they were observed by other countries, particularly the signatories to those instruments; all human rights violations must be condemned irrespective of where, or by whom they were committed; political issues, alliances and other considerations unrelated to human rights, in particular the greed associated with arms sales, must not influence decisions taken with regard to human rights violations. The international community had more than enough proof of the gross human rights violations committed by Ethiopia; it had consistently noted Eritrea's refusal to respond in kind in the face of Ethiopia's continued excesses. Yet, with few exceptions, the international community had preferred to remain silent. He therefore called yet again on the Committee to investigate and determine the nature and extent of human rights violations in both countries. Although the Committee had been unable to act the previous year because Ethiopia had not consented, it must act in the current year given that the Ethiopian Parliament had already written to many bodies of the United Nations system requesting just such an investigation, albeit of Eritrea only. He hoped that the Government of Ethiopia would also allow inquiries in that country.

12. **Mr. Zackheos** (Cyprus) said that he aligned himself with the statement made by the representative of France on behalf of the European Union and that he welcomed the greater emphasis placed on issues of human rights at, inter alia, the Millennium Assembly; he believed that selectivity and political expediency were obstacles to the full enjoyment of human rights and to the implementation of human rights instruments. In its involvement in the search for solutions to conflicts, the United Nations should always be guided by the need to safeguard human rights and fundamental freedoms. Solutions based on ephemeral considerations or realpolitik, which often worked against the interests of small States, would not secure a durable peace. Furthermore, if the international community did not effectively address the issue of impunity, violations of human rights on a large scale would continue for the foreseeable future. Cyprus steadfastly supported the earliest possible establishment of an International Criminal Court. In that respect, it welcomed the progress made by the Preparatory Committee and the consensus reached on the Rules of Procedure and Evidence and the Elements of Crimes.

13. The continuing violations of human rights in Cyprus, stemming from the Turkish invasion and subsequent occupation of 37 per cent of its territory, had been the subject of many resolutions adopted by the United Nations, the Commission on Human Rights, the Council of Europe, the Movement of Non-Aligned Countries, the Commonwealth and other international and regional bodies. Human rights was one of the core issues of the fifth round of proximity talks that had begun the previous day in Geneva. Mr. Glafcos Clerides, President of Cyprus, had expressed his determination to work in good will to achieve a just and viable solution to the Cyprus problem, a solution that would safeguard the human rights of all Cypriots without discrimination. Cyprus would pursue a solution based on Security Council resolutions and on the 1977 and 1979 high-level agreements between the two sides, but would reject any attempt to segregate the people of Cyprus along ethnic lines, as the Turkish side was

demanding with its proposal for a confederation of two States and recognition of the so-called "realities". Those "realities" were nothing more than the consequences of illegal acts which had gone unpunished and of the unacceptable partition imposed through the use of force and sustained by military strength in violation of every norm of international law; they presupposed the constant denial of the individual and collective rights of 200,000 refugees (more than a third of the Greek Cypriot population of Cyprus), who had been forcibly expelled from their homes since the Turkish invasion. For 26 years, despite the continuous commitment of the United Nations and the international community to securing a just and viable solution to the Cyprus problem, successive Turkish governments had thwarted all efforts, thereby proving that impunity could be used to promote partitionist designs. It was pertinent to mention that the European Commission of Human Rights of the Council of Europe had found Turkey guilty of gross violations of human rights in Cyprus and of continuing violation of a number of articles of the European Convention on Human Rights in respect of the homes and property of Greek Cypriots living in the area occupied by Turkey. In response, Turkey had proposed a collective exchange of properties between the Turkish and Greek Cypriots, as if the rights and properties of individuals could be disposed of wholesale.

14. Despite numerous resolutions of the General Assembly and the Security Council on the right of displaced persons to return under conditions of safety, which had been adopted unanimously with the consent of Turkey itself, Turkey continued to violate that right. What was worse, it had been flooding the occupied territory with tens of thousands of Turkish settlers in a systematic effort to alter the traditional demographic composition of the occupied areas, compelling even the Turkish Cypriot community to leave the occupied area of Cyprus. With regard to the as-yet-unresolved tragedy of the missing persons in Cyprus, which had continued for the past 26 years, the Government of Cyprus had succeeded in identifying the remains of 17 missing persons through the DNA process. His Government appealed to all who were in a position to assist with efforts to resolve that problem, especially Turkey, to do everything needed so that the Committee on Missing Persons in Cyprus could resume its work and the families of the missing could finally learn their fate.

15. The serious violations of the human rights of the Greek and Maronite Cypriots living in the Turkish-occupied area were also a source of great concern. The Secretary-General and the European Commission of Human Rights had taken note of the severe restrictions to which those communities were subjected and of their adverse living conditions. Turkey had also proposed to change millennia-old names in the occupied area; to destroy its cultural heritage, particularly churches and monasteries; and to eradicate every vestige of civilizations other than that of the Turks.

16. **Ms. Daes** (Greece) said that she associated herself with the statement made by the representative of France on behalf of the European Union. However, she wished to stress the persistence of grave human rights violations in Cyprus. Since the Turkish invasion of Cyprus in 1974, the demographic composition of the occupied part of the island had been altered by the implantation of tens of thousands of Turkish settlers. The Turkish authorities had implemented a policy of ethnic cleansing against the enclaved population, drastically reducing the Greek Cypriot and Maronite populations and severely restricting their rights and freedoms in the areas of religion, education, information, movement, health services, and their right to settle and acquire property. The question of the nearly 1,500 Greek Cypriots and Greeks who were missing as a result of the Turkish invasion constituted a grave violation of human rights and humanitarian law. The United Nations had attempted to resolve the dilemma through the Tripartite Committee on Missing Persons in Cyprus, but the latter's activities had been interrupted by the death of one of its members. She urged the Secretary-General to designate a successor as soon as possible.

17. For the past quarter of a century, the Committee had been confronted by the same issue of human rights violations in Cyprus. It was obvious that that situation not only constituted a violation of the human rights of the island's inhabitants, but also challenged the credibility of the United Nations. Greece considered that, by becoming members of the European family, all Cypriots would enjoy safety, equality under the law, protection of their human rights and appropriate representation and security at the regional level. It was imperative that the message should get through to the Turkish Cypriot community now that the fifth round of proximity talks was under way in Geneva with a view to overcoming the Cypriot problem.

18. **Ms. Boyko** (Ukraine) praised the initiative to offer Heads of State and Government, at the Millennium Summit, the opportunity to sign various international treaties and conventions of which the Secretary-General was depositary. The success of that initiative had been demonstrated by the 273 signatures, accessions or ratifications amassed over those three days. In particular, the President of Ukraine had recently signed two optional protocols to the Convention on the Rights of the Child and the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women. Ukraine had thus become a party to 11 of 13 instruments making up the international human rights treaty system. Early in the year, Ukraine had ratified Protocol No. 6 to the European Convention on Human Rights concerning the abolition of capital punishment and amended its relevant national code accordingly. Ukraine hoped that, in the near future, it would be among the States parties to the Second Optional Protocol to the International Covenant on Civil and Political Rights.

19. Ukraine believed that human rights activities were at the heart of conflict prevention measures. It was therefore particularly important to strengthen and improve the international monitoring of human rights violations. The use of force, however, could not be considered an adequate means of ensuring respect for human rights. Aware that the protection of minority rights was one of the most important factors in preserving peace and stability and avoiding a large number of bloody conflicts, the President of Ukraine had recently established in Kyiv, under the auspices of the Organization for Security and Cooperation in Europe (OSCE), a regional Ethnic Research Centre responsible for the monitoring of developments in inter-ethnic relations in the OSCE member States and timely detection of signs of brewing conflicts, thereby contributing to the implementation of the United Nations preventive strategy.

20. Taking into account that protection and promotion of the enjoyment of human rights depended primarily on the efforts made at the national and local levels, her delegation stressed the need for a more structured relationship between the Office of the High Commissioner for Human Rights and organizations with regional mandates, knowledge and expertise. Existing cooperation among the Office of the High Commissioner, the Council of Europe and OSCE in various areas was very productive. Her delegation invited the Office of the High Commissioner to participate in the activities of the Ethnic Research Centre under the aegis of the OSCE High Commissioner on National Minorities, an arrangement which could prove fruitful and play a leading role in the prevention of inter-ethnic tensions. Her delegation fully supported the work of non-governmental organizations, which were essential actors in the promotion and protection of human rights. It welcomed the appointment of Ms. Nina Jilani to the post of first Special Representative for Human Rights Defenders and wished her every success in her important work. Her delegation also believed that priority attention should be devoted to human rights education, which was the core of a human rights culture.

21. **Mr. Rezvani** (Islamic Republic of Iran) said that, if existing conditions and circumstances in the Islamic Republic of Iran were observed, there would be no doubt that it should not be included in the list of countries whose human rights situation warranted international scrutiny. In view of the democratic reform programmes initiated by President Khatami, the international community should adopt an attitude of promotion, encouragement and cooperation towards the country's human rights situation. The traditional General Assembly resolution on the question no longer had any legitimacy, as evidenced by the results of the voting by which it had been adopted at the fifty-fourth session of the Assembly.

22. The day before, the Special Representative of the Commission on Human Rights on the situation of human rights in the Islamic Republic of Iran had informed the Committee that the newly elected Majlis continued to take bold reform-oriented legislative initiatives. A law raising the minimum age of marriage had been adopted; a draft law which would guarantee access to a lawyer by the accused at all stages of a criminal investigation was under consideration; a draft law which would remove the prohibition on unmarried girls travelling abroad for educational purposes was being considered; and there were various draft laws which would, respectively, reduce women's working day, allow their recruitment into the Government's forces of law and order and recognize women's right to divorce in cases involving a spouse's insolvency. Although the reform of the judiciary had not yet been initiated, there had been several positive developments in the area of juvenile justice, such as the decisions to establish separate juvenile courts and to prohibit the

sentencing of persons under 18 years of age to the death penalty. The Special Representative had concluded that the Islamic Republic of Iran continued to make progress, but it was a slow progress which still faced formidable obstacles. Those observations were indisputable evidence of the genuineness of reforms and developments in the Islamic Republic of Iran.

23. There had been some outstanding developments and achievements in the current political process in the Islamic Republic of Iran, including the intensification of national capacity-building efforts in human rights education and the exercise and monitoring of human rights; the establishment and strengthening of national human rights mechanisms; the launching of a number of judicial reform programmes; further participation by the Office of the United Nations High Commissioner for Human Rights in the field of technical cooperation; significant expansion of the role of non-governmental organizations in various spheres of Iranian society; and the establishment of bilateral intergovernmental dialogue and cooperation in the field of human rights. The current political reform in the Islamic Republic of Iran was irreversible; it was rooted in the will of the people and was backed by the consensus of the establishment. His Government was determined to promote greater freedom. Under those circumstances, any initiative in the field of human rights should be aimed at consolidating the ongoing reform in the Islamic Republic of Iran. The resolution on human rights in the Islamic Republic of Iran, however, did exactly the opposite. A constructive approach would be to establish close cooperation between the sponsors of the resolution and his Government in order to ensure that the Committee put an end to that unhealthy and unproductive trend.

24. **Mr. Rodríguez Parrilla** (Cuba) said that the Committee's deliberations should focus, on the one hand, on the protection and promotion of all human rights and fundamental freedoms, avoiding any attempt to manipulate them in order to accommodate them to the interests of certain Powers, and, on the other, on the defence of State sovereignty against attempts to impose on countries of the South a foreign model that would eliminate cultural, historical and religious diversity. Although the information was not often revealed, there were irrefutable, copious data on flagrant, systematic violations of the human rights of minorities, immigrants and vulnerable or low-income persons in the United States of America. Five million Americans were without housing. Thirty-six million, or 14 per cent of the population, were living below the poverty line; that rate rose to 29 per cent in the case of the black population. Twenty-two per cent of all children and 40 per cent of black children were poor. Forty-two million Americans were without health insurance, while another 30 million had virtually no medical coverage. There were 30 million illiterates and 30 million functional illiterates. Women earned 73 per cent of what men earned for comparable work and accounted for 70 per cent of part-time workers. Immigrant men earned 32 per cent less than American men and immigrant women earned 22 per cent less than American women. There was not one millionaire or member of the upper middle class among the 3,600 people on death row in the United States. Over 60 per cent of women prisoners were African American or Hispanic. A veritable industrial complex based on forced labour had grown up in the prisons, and the whites responsible for brutal crimes such as the murder of African immigrant Amadou Diallo went unpunished.

25. In referring to 48 countries, the representative of the European Union had neglected to mention that nearly all of them had been European colonies and that many current problems and conflicts had their origins in that history of conquest, pillaging of resources and imposition of absurd borders. It was odd that Europe had forgotten the Holocaust and viewed with equanimity the proliferation of fascist and neo-Nazi parties. Neither had there been any mention of the growing xenophobia, violence against immigrants, policies of unjust or selective deportation, trade in body parts, child prostitution, paedophilia and promotion of sex tourism on that continent. In Europe, ethnic minorities were isolated and the rights of the Roma and other ethnic groups were systematically violated.

26. In Australia, where, a few decades previously, the Government had abducted over 100,000 aboriginal children in order to place them with white families, discrimination against and segregation of indigenous people continued and their economic, social and cultural rights, particularly the right to own land, were restricted. Recently, the Government of Australia had failed to cooperate with human rights mechanisms.

27. Canada continued to deny indigenous peoples, whom it had almost exterminated, their rights. They had the lowest incomes and the worst employment, education and health indicators and suffered

discrimination and marginalization. Recently, the Canadian Government had established restrictive, discriminatory immigration policies and had violated the rights of immigrants through, inter alia, enforced deportation.

28. The model which others were attempting to impose on the countries of the South was being seriously called into question even by the citizens of the developed world, over half of whom believed that they had no real participation in decision-making processes, that the existing political model was elitist and exclusive and that politicians lacked credibility. The best example was the United States itself, the country of soft money and self-serving financial contributions — in other words, the legalized corruption of politicians — and where over half of the population did not register to vote and a third of those registered did not vote. Its President could be elected with the vote of 26 per cent of individuals of voting age.

29. There could be no progress without the exercise of the right to development or if those who were currently treating the South with arrogance, racism and scorn did not meet their commitments, which were not dependent upon their generosity but were a consequence of their historical responsibility as former colonial Powers. In that context, there was no basis for the figures on the alleged United States humanitarian assistance to Cuba to which the representative of the United States had alluded in his statement. In 1999, assistance from American non-governmental organizations, private and religious foundations and citizens had been not $1 billion, but rather $4,157,497; the total for recent years was $33 million. Moreover, those donations were made despite the many obstacles erected by official agencies. The representative of the United States could not give a single example of authorization for the sale of medicine to Cuba; his own Government, for its part, could point to a dozen rejected applications. Recent decisions on medicine and food by the United States Congress showed no change whatever, and the statement made to the Committee by the representative of the United States contradicted President Clinton's statement that the congressional decision further restricted the options available to the Cuban people. For the first time, the prohibition on travel to Cuba by American citizens had been enacted into law. Another new measure authorized the United States to use Cuban funds deposited in frozen American accounts to compensate litigants against Cuba, which constituted direct promotion of terrorism. Thus, the American embargo was equivalent to commission of the crime of genocide against the Cuban people according to the Geneva Conventions of 1949 and the Additional Protocols of 1977. Nevertheless, his Government reiterated its willingness to continue to engage in respectful dialogue and cooperation on the subject of human rights on the basis of State sovereignty, the rules of international law and the purposes and principles of the Charter of the United Nations.

30. **Mr. Sfeir-Younis** (World Bank) said that the right to development presented major challenges with political, economic and social connotations. It was difficult to explain to policy makers what was the value added that went with that right; it would be essential to demonstrate, for example, that progress on the right to education, health and adequate food as a whole represented a benefit greater than the sum of its parts. It should also be emphasized that absolute poverty was the main obstacle to the exercise of human rights and the right to development.

31. Some of the problems involved in moving from the conceptual level to the effective realization of rights could be addressed by identifying the most critical strategic policy issues. Those would be in the realm of politics, although economics and finance could be very important in some countries. The right to development would be more than the sum of its parts when it was looked at from the viewpoint of a new set of values and as the sole organizing principle in the design and implementation of economic and social policies. From that viewpoint, the right to development moved the emphasis from the object to the subject and from needs to obligations and responsibilities. It dealt not with the morals or ethics of the outcome but with those of the principles; not with what the world owed to the individual but what the individual owed to the world; and not with the satisfaction of needs but with right of every person to full self-realization.

32. The report of the independent expert on the right to development (A/55/306) focused especially on the process of realization and the right to that process, and opened an avenue for discussion of issues such as transparency, participation, justice and other elements of the process. Second, although it was desirable to shift from conceptualization to the materialization of rights, it was essential to do so with rigour and on the

basis of common ground in order to avoid discovering at a later stage that progress had been made in the wrong direction.

33. Third, although having a right meant having a claim to something of value from other people, institutions, the State, or the international community, and they in turn had the obligation of providing or helping to provide that thing of value, that concept must be expanded to define the acquisition of rights and responsibilities within a dual and distinguishable framework linked to both private and public goods. Establishing the nature of many of those rights as public goods would give a new meaning to the right to development. Fourth, it should be emphasized more explicitly that economics and finance did matter in the realization of rights. The desirable must be distinguished from the feasible. The desirable included such principles as universality and indivisibility, whereas the feasible referred to the results of development.

34. Fifth, on the issue of norms and behaviour, it was necessary to take into account the role of value systems in societies, and their direct impact on the attainment of equity, transparency, accountability and social justice. Sixth, there should be more focus on issues of collective rights and collective action at all levels of decision-making. Instead of placing too much emphasis on individual rights or State obligations, it should be borne in mind that justice, participation and transparency were linked to collective behaviour at all levels.

35. Seventh, the conditions for the realization of rights must be expanded to include, for example, the fragmentation of institutions and functions and the empowerment of people in the process. The realization of rights must be anchored in institutions that were symmetrical and congruent with the holistic approach of the principles outlined in the report. Eighth, in addressing poverty, it should be emphasized that it was also an inability to accumulate capital in its various forms, physical, financial, human, natural and institutional. To that end, the realization of rights should be linked to the process of wealth creation, essential to the elaboration of economic and social policies.

36. The promotion and protection of the human rights and fundamental freedoms of indigenous peoples involved issues related to land, education, health, natural resources and racial discrimination. In order to benefit the indigenous peoples, the concept of national and world heritage should be applied to many aspects and dimensions of their lives. Cultural sustainability was a precondition to long-term economic, financial and environmental sustainability. In order to achieve it, greater recognition was needed of the close link between ethnicity and poverty, particularly among indigenous peoples in regions such as Latin America. More attention should also be given to access to justice for indigenous peoples as part of judicial reform programmes. The establishment of the Permanent Forum on Indigenous Issues had been a very important step towards enabling the indigenous peoples to make substantive contributions to the dialogue and to decisions taken by the Economic and Social Council on matters of economic and social policy.

37. It was clear that, if the debate lacked conceptual rigour, many countries would see a risk that new preconditions and sanctions would be imposed in the name of the right to development. Not to recognize that it was a difficult concept would be counter-productive. However, what was difficult was not to broaden the right to development, but to make it universal. Development specialists had been taking care of many of the less complex issues; currently, they were facing the most difficult ones, involving not only economic and financial considerations but also ethical and moral ones.

38. **Ms. Ibraimova** (Kyrgyzstan), speaking in exercise of the right of reply, said that the presidential elections held on 29 October 2000, to which the representative of the United States of America had referred, had shown a high level of participation, which testified to their validity, that of the democratization process and the strengthening of the role of civil society in political life. The elections had been held in an atmosphere of openness and transparency and on a fair basis without any limitation to the rights of the six candidates. The elections had been supervised by 268 international observers, representatives of the countries of the Organization for Security and Cooperation in Europe (OSCE), international inter-parliamentarian associations and more than 2,000 independent national observers from non-governmental organizations, public associations and political parties as well as representatives of the candidates. Thanks to the new technology used by the Central Electoral Committee for counting votes which excluded any possibility of

fraud, it had been possible to monitor the election process on the Internet, the radio and television. There had been some mistakes which would be examined by the Central Electoral Committee, and efforts would be made to avoid such errors in future. The presidential elections had demonstrated that the country, during its relatively short period of independence had made considerable progress in building a democratic society.

39. **Mr. Perera** (Sri Lanka), speaking in exercise of the right of reply, said that, if the Government of Canada was aware of any violations of human rights and humanitarian law on the part of the Sri Lankan authorities which in its opinion were not being duly investigated, he hoped that it would bring them to the attention of his Government, which would take up the matter with the necessary seriousness. Unfortunately, in cases of armed conflict, violations of human rights and humanitarian law occurred and such incidents must be investigated. His Government, in very difficult circumstances, was making every effort to ensure respect for human rights and humanitarian law by government officials and non-governmental actors. The representative of Canada had failed to take into account the context. In that regard, he recalled the important statement made by the Minister for Foreign Affairs of Sri Lanka to the plenary General Assembly on 18 September 2000.

40. **Mr. Mun Jong Chol** (Democratic People's Republic of Korea), speaking in exercise of the right of reply, said that if United Nations human rights bodies continued to be used as an arena for accusations against specific countries, the end result would be negative reactions and confrontations among States, leaving human rights issues unresolved. Canada and other countries which had made accusations should remain impartial rather than criticize others. It was to be hoped that they would join the international community in making a constructive and substantial contribution to a global solution of the human rights issue.

41. **Ms. Pajula** (Estonia), speaking in exercise of the right of reply, said that at a meeting between the Minister of Population Affairs of Estonia and the United Nations High Commissioner for Human Rights held in Strasbourg in October 2000, the High Commissioner had said that she had followed attentively efforts and progress made in Estonia in the area of integration of national minorities, and that the Estonian national programme for integration demonstrated a pragmatic approach and an effort to unify society. She had noted in particular the length of the Estonian national integration programme, which revealed a desire to look ahead rather than deal only with current problems, and had welcomed amendments made to the Estonian language law. Her words spoke for themselves and offered an objective picture of the situation in the country.

42. **Mr. Jansons** (Latvia), speaking in exercise of the right of reply, said that his Government had implemented the recommendations made by the Organization for Security and Cooperation in Europe (OSCE) and other international organizations, specifically with regard to national minorities, language and education. In August 2000, OSCE had welcomed the adoption of new legislation relating to the official language. In addition, his Government had recently approved a programme on the integration of society which would be presented at the World Conference against Racism.

43. **Mr. Sultan** (Israel), speaking in exercise of the right of reply with reference to the statement made by the Observer for Palestine, asked what had become of the human rights of the innocent Jewish civilians who had just been killed or maimed by a car bomb in a Jerusalem street near the market. The Palestinian Authority, which several weeks before had set free a number of convicted terrorists, should have known that such an irresponsible act would sooner or later end in a human tragedy. There were only two possible outcomes: either to plunge deeper into a cycle of violence, bringing more human suffering to the entire region, and to continue trading accusations in international forums, or to return to the negotiating table to conclude a peace agreement. It was to be hoped that the understanding reached the night before on the basis of Sharm el-Sheikh Memorandum would be not only accepted, but also implemented by the Palestinian Authority.

44. **Mr. Tekin** (Turkey), speaking in exercise of the right of reply, said it was disappointing that the representative of Greece had raised the issue of Cyprus at a time when the two parties were currently engaged in proximity talks in Geneva in order to prepare the ground for negotiations which would lead to a comprehensive settlement of the problem on the island. The Cyprus question and its consequences had not been created overnight in 1974, but were the result of a long history of events perpetrated by Greece and the Greek

Cypriot side in order to forcibly unite the island with Greece. In that context, Greece must assume its heavy responsibility for the current state of affairs. In 1964, Greece had clandestinely sent 20,000 fully equipped men to the island, thereby grossly violating the Cyprus treaties. Ten years later, in 1974, Greece had organized a coup d'état on the island, described by Archbishop Makarios to the Security Council on 19 July 1974 as an invasion by Greece. If the Cyprus problem had truly begun in 1974, he wondered why the United Nations Peacekeeping Force in Cyprus (UNFICYP) had been deployed there in 1964.

45. The Greek and Greek Cypriot sides not only had attempted to alter the demographic character of the island by introducing thousands of settlers from Greece, but also had tried to "cleanse" Cyprus of its Turkish population. Between 1964 and 1974, hundreds of Turkish Cypriots had been abducted or subjected to enforced disappearance. According to a Greek Cypriot news report taken from official Greek sources, 35,000 settlers from Greece were currently living on the Greek Cypriot side, yet he stressed that some 400,000 Turkish Cypriots were living outside Cyprus, having been forcibly expelled from their homes by Greek Cypriots. In addition, one fourth of the Turkish Cypriots had been evicted from their homes and villages between 1963 and 1974, becoming refugees in their own homeland.

46. With regard to the living conditions of Greek Cypriots and Maronites living in the northern part of the island, he stressed that they had the same rights as other residents and were not discriminated against. As for missing persons, he recalled that most of those killed during the Greek coup d'état in 1974 had been listed as Greek Cypriot missing persons. In fact, in 1999, when the body of a Greek Cypriot youth listed as missing since 1974 was discovered in an unmarked grave in the Greek Cypriot sector of Nicosia, the Greek Cypriot authorities had reluctantly admitted that his identity had been known since 1975. According to a story published in May 1998 by a Greek Cypriot weekly newspaper, the issue of missing persons had been used ruthlessly by the Greek Cypriot propaganda machine to impress on world opinion the situation of their relatives who, like many journalists and the general public, were being misled.

47. **Mr. Qazi** (Pakistan), speaking in exercise of the right of reply, said that some countries presumed to comment on the human rights situation in other countries while conveniently ignoring their own failings. They also conveniently ignored numerous situations involving gross and systematic human rights violations and distorted, magnified and sensationalized the shortcomings of other countries to suit their own purposes. As UNDP had reported in 1999, trafficking in women and girls for the purpose of sexual exploitation in Western Europe was a heinous violation of human rights, estimated to be a multi-billion dollar business. Women were displayed as objects of trade and exhibited to promote sexual tourism in windows in the cities of the greatest defenders of human rights and women's rights. With regard to alleged terrorist incursions into Indian-occupied Kashmir, he said the only terrorists in that territory were the 700,000 Indian soldiers, whose presence was one of the worst manifestations of State terrorism; they had committed some of the grossest and most brutal human rights violations against an occupied people, as had been reported by human rights organizations. Apparently those violations had escaped the attention of the European Union or perhaps the European Union had turned a blind eye to them because the country in question was powerful and too attractive to its economic interests.

48. **Mr. Karev** (Russian Federation), speaking in exercise of the right of reply and referring to the statements by the representatives of Latvia and Estonia, said it was difficult to speak of a satisfactory human rights situation in those countries when there had been a series of complaints to the various human rights bodies on behalf of the Russian population. The situation could not be deemed satisfactory when Russians could not speak to their children or educate them in their own language. It was difficult to understand how the need to protect minorities could be used to justify humanitarian intervention, yet nothing was said about the clear discrimination against the Russian minority in Latvia and Estonia. Far too many issues remained unresolved to say that there was no longer a problem with the Russian population in those countries.

49. **Ms. Barghouti** (Observer for Palestine), speaking in exercise of the right of reply and referring to the statement made by the representative of Israel, said that Palestine continued to be committed to the peace process in spite of the current difficult situation. That process was not being exploited for political purposes and must lead to a just peace based on international

legitimacy and implementation of United Nations resolutions, leading to independence and freedom for Palestinians. With regard to the issue of violence, efforts to equate the victim and the oppressor were a racist attempt to deceive and dehumanize an entire people. The representative of Israel was trying to equate the violence perpetrated by the Israeli occupying army, which used live ammunition, tanks and attack helicopters, with the violence of Palestinians who were demonstrating against the unjust and discriminatory treatment they faced and the continuing loss of their rights and land. Palestine had always condemned all killing and hoped that Israel, for once, would follow suit and recognize its responsibility for the suffering and death it had inflicted on the Palestinian people.

50. **Mr. Zackheos** (Cyprus), speaking in exercise of the right of reply and referring to the statement made by the representative of Turkey, said that, although proximity talks were currently under way in Geneva, Turkey remained intransigent. He hoped that it would abandon its illegal ambitions and accept a just solution based on Security Council resolutions and full respect for the human rights of all. Turkey would of course prefer that the Cypriot side remained silent, in the hope that the world would forget the crimes it had committed, but that was not possible because Cyprus had an obligation to the victims of Turkish aggression. With regard to the events which had occurred between 1963 and 1974 and any excesses committed by either community in a situation of armed conflict, he stressed that there had never been organized actions against the Turkish Cypriot community, while there had in fact been premeditated actions on the part of Turkish Cypriot activists aimed at proving that coexistence on the island was impossible. He cited the case of the seizure in 1962, one year before the armed insurrection against the Republic of Cyprus, of a Turkish ship transporting a large arms shipment destined for the Turkish extremist organization TMT. In 1965 the Secretary-General of the United Nations had stated that the objective of the Turkish Cypriot leaders, who did not appear ready to support efforts to the contrary, was the physical and geographical separation of the communities, resulting in a deliberate policy of self-segregation, and that the difficult situation of the Turkish Cypriot population was the direct consequence of the isolation imposed by their own leaders. With regard to the so-called realities in Cyprus, Turkey was deluding itself if it believed that the international community would accept a situation achieved through the use of force, just as the apartheid regime in South Africa had believed that it could perpetuate an illegitimate situation. With regard to the enclave in the north, he referred to the report of the Secretary-General to the Security Council (S/1996/411, para. 22), according to which the Greek Cypriots and Maronites living in the northern part of the island were subject to severe restrictions of many basic freedoms, which had the effect of ensuring that inexorably with the passage of time those communities would cease to exist. He noted that out of the original population of 20,000 only 429 remained. As for missing persons, he wondered whether Turkey was ready to implement the agreement on missing persons of 31 July 1997 signed by President Clerides and Mr. Denktash, the Turkish Cypriot leader, and whether that humanitarian issue could be resolved if the agreement was not implemented. Finally, rather than to continue to provide false information, he said it would be preferable for Turkey to acknowledge that it had occupied 37 per cent of the territory of the Republic of Cyprus, had expelled more than one third of its population, and supported the establishment of 98,000 Turkish settlers and still maintained 36,000 troops in northern Cyprus.

51. **Ms. Pajula** (Estonia) said that, after listening to the reply of the representative of the Russian Federation, she had the impression that he lacked the necessary facts. She would therefore be happy to provide him with any updated information on the human rights situation in Estonia which he might require and was certain that the delegation of Latvia would gladly do likewise.

The meeting rose at 5.30 p.m.